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By Mr Powers, petition of John E. Powers for the adoption of resolutions requesting Congress to call a convention for proposing an amendment to the Constitution of the United States relative to establishing a "Court of the Union" with authority to review Supreme Court decisions relating to the rights reserved to states under the Constitution. Constitutional Law.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

RESOLUTIONS REQUESTING THE CONGRESS TO CALL A CONVENTION FOR PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO ESTABLISHING A "COURT OF THE UNION" WITH AUTHORITY TO REVIEW SUPREME COURT DECISIONS RELATING TO THE RIGHTS RESERVED TO THE STATES UNDER THE CONSTITUTION.

*Resolved*, That the General Court of Massachusetts, in pursuance of Article V of the Constitution of the United States, hereby requests the Congress of the United States to call a convention under said Article for the purpose of proposing an Amendment to said Constitution as follows: —

### "ARTICLE —

"SECTION 1. Upon demand of the legislatures of five states, no two of which shall share any common boundary, made within two years after the rendition of any judgment of the Supreme Court relating to the rights reserved to the states or to the people by this Constitution, such judgment shall be reviewed by a Court composed of the chief justices of the highest courts of the several states to be known as the Court of the Union. The sole issue before the Court of the Union shall be whether the power or jurisdiction sought to be exercised on the part of the United States is a power granted to it under this Constitution.

"SECTION 2. Three-fourths of the justices of the Court of the Union shall constitute a quorum, but it shall require concurrence of a majority of the entire Court to reverse a decision of the

Supreme Court. In event of incapacity of the chief justice of the highest court of any state to sit upon the Court of the Union, his place shall be filled by another justice of such state court selected by affirmative vote of a majority of its membership.

“SECTION 3. On the first Monday of the third calendar month following the ratification of this amendment, the chief justices of the highest courts of the several states shall convene at the national capital at which time the Court of the Union shall be organized and shall adopt rules governing its procedure.

“SECTION 4. Decisions of the Court of the Union upon matters within its jurisdiction shall be final and shall not thereafter be overruled by any court and may be changed only by an amendment of this Constitution.

“SECTION 5. The Congress shall make provision for the housing of the Court of the Union and the expenses of its operation.

“SECTION 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission.”; and be it further

*Resolved*, That the Congress of the United States be and it hereby is requested to propose as the mode of ratification of said Amendment that it shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several states; and be it further

*Resolved*, That if Congress shall have proposed an Amendment to the Constitution identical with that contained in these resolutions prior to January first, nineteen hundred and sixty-five this request that Congress call a convention for the purpose of proposing said Amendment shall no longer be of any force or effect; and be it further

*Resolved*, That the State Secretary be and he hereby is directed to send a duly certified copy of these resolutions to the presiding officer of each branch of the Congress of the United States.